

109TH CONGRESS
1ST SESSION

S. 1776

To amend the Federal Crop Insurance Act to establish permanent authority for the Secretary of Agriculture to quickly provide disaster relief to agricultural producers that incur crop losses as a result of damaging weather or related condition in federally declared disaster areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2005

Mr. DAYTON introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Federal Crop Insurance Act to establish permanent authority for the Secretary of Agriculture to quickly provide disaster relief to agricultural producers that incur crop losses as a result of damaging weather or related condition in federally declared disaster areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Permanent Emergency
5 Agricultural Assistance Act”.

1 **SEC. 2. CROP DISASTER ASSISTANCE FOR FUTURE CROP**
 2 **YEARS.**

3 The Federal Crop Insurance Act is amended by in-
 4 serting after section 518 (7 U.S.C. 1518) the following:

5 **“SEC. 519. PERMANENT AUTHORITY TO PROVIDE EMER-**
 6 **GENCY AGRICULTURAL ASSISTANCE.**

7 “(a) DEFINITION OF FEDERALLY DECLARED DIS-
 8 ASTER AREA.—

9 “(1) IN GENERAL.—In this section, the term
 10 ‘federally declared disaster area’ means a county
 11 covered by—

12 “(A) a Presidential declaration of major
 13 disaster issued under section 401 of the Robert
 14 T. Stafford Disaster Relief and Emergency As-
 15 sistance Act (42 U.S.C. 5170); or

16 “(B) a declaration by the Secretary of a
 17 disaster area under subpart A of part 1945 of
 18 title 7, Code of Federal Regulations (or suc-
 19 cessor regulations).

20 “(2) EXCLUSION.—The term ‘federally declared
 21 disaster area’ does not include a county contiguous
 22 to a county covered by a declaration described in
 23 paragraph (1) unless the contiguous county is also
 24 covered by the same designation.

25 “(b) AUTHORITY TO PROVIDE EMERGENCY ASSIST-
 26 ANCE.—The Secretary shall use the funds of the Com-

1 modify Credit Corporation to make emergency financial
2 assistance available to producers on a farm that incur
3 qualifying crop losses for an insurable crop due to dam-
4 aging weather or related condition, as determined by the
5 Secretary, that results in the designation of the county
6 in which the farm is located as a federally declared dis-
7 aster area.

8 “(c) ADMINISTRATION.—Except as provided in sub-
9 sections (d) and (e), the Secretary shall make assistance
10 available under this section in the same manner as pro-
11 vided under section 815 of the Agriculture, Rural Develop-
12 ment, Food and Drug Administration, and Related Agen-
13 cies Appropriations Act, 2001 (Public Law 106–387; 114
14 Stat. 1549A–55), including using the same loss thresholds
15 for the quantity and quality losses as were used in admin-
16 istering that section.

17 “(d) PAYMENT RATE.—The Secretary shall make as-
18 sistance available to producers on a farm for a crop under
19 this section at a rate equal to 65 percent of the established
20 price for the crop for any deficiency in production of 35
21 percent or more for the crop.

22 “(e) RECEIPT CONDITIONED ON HAVING CROP IN-
23 SURANCE.—The producers on a farm shall not be eligible
24 for assistance under subsection (a) with respect to losses
25 to a crop unless the producers obtained, before the losses

1 were incurred, a policy or plan of insurance for the crop
2 under this title that provided a level of coverage equal to
3 or greater than 60 percent.

4 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
5 is authorized to be appropriated such amounts as are nec-
6 essary to reimburse the Commodity Credit Corporation for
7 funds expended by the Secretary under this section.

8 “(g) EFFECTIVE DATE.—This section applies to the
9 2005 and subsequent crop years.”.

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